

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON LEE BRAUHN,

Defendant.

**CR-12-99-GF-BMM-01**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter December 20, 2016. (Doc. 57.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on December 14, 2016. (Doc. 57 at 4.) Brauhn admitted that he violated the conditions of his supervised

release. The violations prove serious and warrant revocation of Brauhn's supervised release. Judge Johnston has recommended that the Court revoke Brauhn's supervised release and commit Brauhn to the custody of the Bureau of Prisons for 13 months, with no supervised release to follow. *Id.* at 4.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Brauhn's violations of his conditions represent a serious breach of the Court's trust. A sentence of 13 months custody, with no supervised release to follow, represents a sufficient, but not greater than necessary, sentence.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 57) is ADOPTED IN FULL.

**IT IS FURTHER ORDERED** that Defendant Brandon Lee Brauhn be sentenced to 13 months custody, with no supervised release to follow

DATED this 5th day of January, 2017.



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Brian Morris  
United States District Court Judge